

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jed W. FAHEY
Title: TREATMENT OF HELICOBACTER WITH ISOTHOCYANATES
Prior Appl. No.: 09/933,170
Prior Appl.
Filing Date: 08/21/2001
Examiner: Unassigned
Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to the Final OG Notice from Office of Patent Legal Administration dated August 5, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

Applicant submits herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/933,170, filed August 21, 2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 31, 2004

FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By Conduan C Brinkhoff
Reg No 37,288
for Richard C. Peet
Attorney for Applicant
Registration No. 35,792

Substitute for form 1449B/PTO

Date Submitted: March 31, 2004

(use as many sheets as necessary)

Complete if Known

Application Number	Unassigned
Filing Date	02/23/2004
First Named Inventor	Jed W. Fahey
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	033793-0108

[illegible][illegible]

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A13	ALAIN LOZNIEWSKI, et al. "Human Embryonic Gastric Xenografts in Nude Mice: a New Model of <i>Helicobacter pylori</i> Infection," <i>Infection And Immunity</i> (April 1999) 67(4):1798-1805, American Society for Microbiology.	
	A14	HAIM SHIRIN et al., " <i>Helicobacter pylori</i> decreases gastric mucosal glutathione," <i>Cancer Letters</i> . (March 2001) 164:127-133 Elsevier Science Ireland Ltd.	

Date
Considered

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: March 31, 2004 (use as many sheets as necessary)				Complete if Known	
				Application Number	Unassigned
				Filing Date	02/23/2004
				First Named Inventor	Jed W. Fahey
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	033793-0108
Sheet	2	of	2		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ⁶
	A15	YUESHENG ZHANG et al., "A major inducer of anticarcinogenic protective enzymes from broccoli: Isolation and elucidation of structure," <i>Proc. Natl. Acad. Sci.</i> (March 1992) 89:2399-2403 (March, 1992)		
	A16	G. ROGER FENWICK et al., "Glucosinolates and Their Breakdown Products in Food and Food Plants," <i>CRC Crit. Rev. Food Sci. Nutr.</i> (1983) 18:123-201, CRC Press.		
	A17	JAN JORN HANSEN et al., "Intramolecular Cyclizations of Thioureas Derived from Sulphoraphane: a Case of Asymmetrically Induced Additions to Vinylic Sulphoxides," <i>Acta Chemica Scandinavica B.</i> (1974) 28(4):418-424 Chemical Societies in Denmark, Finland, Norway and Sweden.		
	A18	KURT MISLOW et al., "Optical Rotatory Dispersion and Absolute Configuration of Dialkyl Sulfides," <i>Journal of the American Chemical Society.</i> (February 1965) 87(3): 665-666.		
	A19	JED W. FAHEY et al., "The chemical diversity and distribution of glucosinolates and isothiocyanates among plants," <i>Phytochemistry</i> (January 2001) 56:5-51 Elsevier Science Ltd.		
	A20	Database WPI, Section Ch, Week 198632 Derwent Publications Ltd., London, GB; Class B05, AN 1986-209527; XP002198443 & JP 61 143353 A (Denki Kagaku Kogyo KK), July 1, 1986 abstract only.		
	A21	Zhang et al., "Anticarcinogenic activities of organic isothiocyanates: chemistry and mechanisms." Database Medline 'Online! April 1, 1994; database accession no. NLM8137323, XP002198442 abstract & Cancer Research, vol. 54, no. 7 Suppl., April 1, 1994 pages 1976s-1981s, ISSN: 0008-5472.		
	A22	Fahey et al., "Antioxidant Functions of Sulforaphane: a Potent Inducer of Phase II Detoxication Enzymes," <i>Food and Chemical Toxicology</i> : 37:973-979 (1999) ISSN: 0278-6915.		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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